

Attorney(s) name(s) and state bar number (space below for
Law Firm filing stamp only)
Address
Telephone number
Facsimile number
E-mail address

Attorney(s) for Protestant

**SAMPLE PROTEST
3062 Establishment**

STATE OF CALIFORNIA

NEW MOTOR VEHICLE BOARD

In the Matter of the Protest of)
NAME OF DEALERSHIP,) Protest No. (leave blank)
Protestant,)
vs.) **PROTEST**
NAME OF MANUFACTURER/DISTRIBUTOR,) [V.C. sec. 3062]
Respondent.)
_____)

Protestant, _____, through its attorney(s), files
this protest under the provisions of California Vehicle Code section
3062 and alleges as follows:

1. Protestant is a new motor vehicle dealer selling _____,
and is located at _____. Protestant's
telephone number is _____.

2. Respondent distributes _____
products
and is the franchisor of Protestant.

3. Protestant is represented in this matter by [Name of Attorney
or Protestant (if representing self)], whose address and telephone

1 number are _____.

2 4. On or about _____, Protestant received from
3 Respondent a notice that Respondent intends to establish a _____
4 franchise at _____.

5 5. The intended establishment is within a ten mile radius of
6 Protestant's location.

7 6. There is good cause for not permitting the establishment of
8 the franchise by reason of the following facts:

9 (a) Protestant has made a substantial and permanent investment in
10 the dealership.

11 (b) [Identify the effect on the retail motor vehicle business and
12 the consuming public in the relevant market area.]

13 (c) It would be injurious to the public welfare for an additional
14 franchise to be established.

15 (d) The _____ franchisees in the relevant market area are
16 providing adequate competition and convenient consumer care for _____
17 vehicles including adequate motor vehicle sales and service facilities,
18 equipment, supply of vehicle parts, and qualified service personnel.

19 (e) The establishment of an additional franchise would decrease
20 competition and therefore not be in the public interest.

21 7. Protestant and its attorney(s) desire to appear before the
22 Board and estimate that the hearing in this matter will take _____ days
23 to complete.

24 8. A Pre-Hearing Conference is requested.
25 WHEREFORE, Protestant prays as follows:

26 (1) That the Board issue its decision determining that good
27 cause
28 exists for not permitting such establishment;

1 (2) That the Board issue its order not permitting such
2 establishment; and

3 (3) For such other and further relief as the Board deems
4 proper.

5 DATED: _____
6

7
8 By _____
9 Attorney(s) name(s)
10 (original signature required)
11

12 * * * * THE PROTEST MAY NOT BE PROCESSED WITHOUT AN * * * *
13 ATTACHED PROOF OF SERVICE AND A \$200.00 CHECK TO
14 COVER PROTESTANT'S FILING FEE
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